

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

HUNTINGDON RIDGE TOWNHOUSE)
HOMEOWNERS ASSOCIATION, INC.,)
Plaintiff,)
v.) No. _____
QBE INSURANCE CORPORATION and)
FIRSTLINE NATIONAL INSURANCE)
COMPANY,)
Defendants.)

NOTICE OF REMOVAL

Comes now Defendant QBE Insurance Corporation, by and through counsel, pursuant to 28 U.S.C. § 1446, and hereby files this Notice of Removal of the above-described action to the United States District Court for the Middle District of Tennessee at Nashville from the Davidson County Chancery Court at Nashville, Tennessee where the action is now pending and hereby states as follows:

1. This cause of action was commenced December 1, 2008, in the Davidson County Chancery Court, Docket No. 08-2601-II.
2. Copies of the Summons and Complaint, which were served upon QBE Insurance Corporation via its registered agent for service of process, C.T. Corporation, on December 22, 2008, are attached as Exhibit 1. These documents are all of the process, pleadings, and orders which have been served upon Defendants.
3. Plaintiff was at the time of the commencement of this action and still is a Tennessee corporation authorized and properly doing business within the State of Tennessee.

4. Defendant QBE Insurance Corporation was at the time of commencement of this action and still is a corporation organized under the laws of the State of Pennsylvania and of no other state, with its principal place of business in the United States in the State of New York.
5. Defendant Firstline National Insurance Company was at the time of commencement of this action and still is an insurance company with a principal place of business in the State of Maryland.
6. The action is a civil action for declaratory judgment arising out of a property loss at Huntingdon Ridge Townhouses which Plaintiff claims is covered by policies of insurance issued by the Defendants to Plaintiff.
7. The amount in controversy exceeds \$75,000.00 exclusive of interests and costs, by virtue of the repair costs of the two affected units, which Plaintiff claims these Defendants are responsible for pursuant to the policies of insurance at issue. Further, this action is wholly between citizens of different states and is within the jurisdiction of this Court pursuant to the provisions of 28 U.S.C. § 1332 and is removable to this Court pursuant to the provisions of 28 U.S.C. § 1441.
8. Defendants will give written notice of the filing of this Notice as required by 28 U.S.C. § 1446(d).
9. A copy of this Notice will be filed with the Clerk of the Chancery Court of Davidson County, Tennessee as required by 28 U.S.C. § 1446(d).

Respectfully submitted,

**LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC**

By: /s/ D. Randall Mantooth

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Attorneys for Defendant QBE
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CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that the foregoing document has been served upon all counsel of record for the parties at interest in the case by placing a true and correct copy of same in the United States mail, postage prepaid, in a properly addressed envelope to the following address:

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on this the 20th day of January, 2009.

/s/ D. Randall Mantooth
D. Randall Mantooth